

Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed August 12, 2002.

I. Applicant's Newly Submitted Information Disclosure Statement

An Information Disclosure Statement dated September 12, 2002 is newly submitted herewith. Applicant respectfully requests the Examiner review and consider the Statement.

II. Applicant's Previously Submitted Information Disclosure Statements

In the Office Action, the Examiner states that "Applicant's IDS submitted 06/07/01 is missing." Office Action, page 2, section 2. Applicant respectfully submits that two Information Disclosure Statements were previously filed in the present application:

1. Information Disclosure Statement filed on June 4, 2001
(attached as Appendix B of this Response); and
2. Information Disclosure Statement filed on November 20, 2001
(attached as Appendix C of this Response).

Each of the Statements was filed with a Certificate of Mailing Under 37 C.F.R. § 1.8. Applicant has received Return Receipt Postcards for both Statements indicating that they were received by the USPTO on June 7, 2001 and December 3, 2001, respectively. In addition, Applicant notes that a copy of form PTO-1449 previously submitted with the Statement of June 4, 2001 has been enclosed with the present Office Action, bearing the Examiner's initials next to the entries for U.S. Patent Nos. 5,487,139 and 5,848,373 cited thereon.

In view of the Examiner's remarks cited above, Applicant resubmits herewith copies of the June 4, 2001 and November 20, 2001 Statements (with certificates of mailing, return receipt postcards, copies of all cited references, and appendices) attached as Appendices B and C to this Response. Applicant respectfully requests that the Examiner review and consider the Statements enclosed herewith. In addition, Applicant respectfully submits that since both Statements were timely filed under 37 C.F.R. § 1.97(b), no fee is due for their filing herewith.

Applicant also notes that the two references (U.S. Patent Nos. 5,487,139 and 5,848,373) cited in the June 4, 2001 Statement were also cited in the November 20, 2001 Statement (the November 20, 2001 Statement contains additional remarks and appendices). Accordingly, Applicant respectfully submits that the June 4, 2001 Statement may be cumulative. Nevertheless, Applicant has enclosed copies of both Statements in order to resolve any remaining confusion in this matter and ensure that the Examiner is fully informed pursuant to 37 C.F.R. § 1.56.

III. Objection to the Numbering of Claims

The Examiner objects to the numbering of claims under 37 C.F.R. § 1.126. Applicant respectfully submits that, in view of the amendments above, the presently pending elected claims (see “VII. Restriction Requirement” below) are now accordance with 37 C.F.R. § 1.126. Accordingly, Applicant requests that the objection to the numbering of claims under 37 C.F.R. § 1.126 be withdrawn.

IV. Objection to the Abstract

The Examiner objects to the language and format of the Abstract. The Abstract has been amended to correct several informalities and reduce the word count to less than 150 words in accordance with 37 C.F.R. § 1.72(b). Applicant respectfully submits that the amended Abstract is in accordance with 37 C.F.R. § 1.72(b). Accordingly, Applicant requests that the objection to the language and format of the Abstract be withdrawn.

V. Arrangement of the Specification

In the Office Action, the Examiner objects to the arrangement of the specification. Specifically, the Examiner draws Applicant’s attention to the section headings and tables of the specification.

A. Section Headings

The Examiner advises Applicant of the provisions of 37 C.F.R. § 1.77(b) regarding section headings. Applicant respectfully refers the Examiner to the language of 37 C.F.R. § 1.77(b) which states that “the specification *should* include” various sections listed in order. (emphasis added). However, Applicant respectfully submits that this language merely *suggests* the headings set forth in 37 C.F.R. § 1.77(b)(1) to (9), but does not *require* the use of these particular headings (i.e. the rule does not state that the specification *must* include particular sections). This distinction is clearly indicated in the structure of the Rules of Practice. For example, the word “must” is used in 37 C.F.R. § 1.71(a), (b), and (c) and 37 C.F.R. § 1.75 regarding the content of the Specification. However, such wording is not found anywhere in 37 C.F.R. § 1.77(b) regarding the inclusion of particular section headings.

Therefore, Applicant respectfully submits that no amendments to the section headings are required. Accordingly, Applicant requests that the objection to the section headings be withdrawn.

B. Location of Tables

The Examiner advises Applicant that “tables should be in drawing figures separate from the specification.” Office Action, page 3, section 5. However, Applicant respectfully submits that tables are permitted in the specification and are not required to be moved to the drawings. In particular, Applicant directs the Examiner’s attention to the following sections which clearly approve the use of tables in the specification: MPEP 608.01(a) (pages 600-59 to 600-60) “The description portion of the specification *may contain tables*”; 37 C.F.R. § 1.58: “The description portion of the specification *may contain tables*”; 37 C.F.R. §§ 1.52(b)(6) (“Non-text elements (e.g., *tables*, mathematical or chemical formulae, chemical structures, and sequence data) are considered part of the numbered paragraph around or above the elements...” (emphasis added).

As a result, Applicant respectfully submits that no changes to the tables are required. Accordingly, Applicant requests that the objection to the location of tables be withdrawn.

C. Substitute Specification

Under the section "Arrangement of the Specification" the Examiner states that a substitute specification is required. However, since no amendments have been made in response to the objections appearing under this section (objections to the section headings and location of tables in the specification), Applicant understands that the Examiner's statement is moot and that no substitute specification is required. However, in the event that the Examiner still believes that a substitute specification is required, Applicant requests that the Examiner further advise Applicant of the same.

D. Conclusion

In view of the Remarks above, Applicant respectfully submits that no amendments regarding the arrangement of the specification are required. Accordingly, Applicant requests that objections to the arrangement of the specification be withdrawn.

VI. Formal Drawings

Formal drawings are filed herewith. Subject to the approval of the Examiner, Applicant respectfully requests that the enclosed formal drawings be substituted for the drawings previously filed.

VII. Restriction Requirement

In the Office Action, the Examiner restricted the claims into three groups as follows:

- I. Claims 1,3, 4, and 6-16 are drawn to method for the identification of an anchor point, defining a radial, and associating an item, classified in class 709, subclass 217;
- II. Claims 2, 5, and 17-19 of claim set #1, and claims 1-8 of claim set #3 are drawn to searching a single layer database, classified in class 707, subclass 3; and
- III. Claims 1-7 of claim set#2, drawn to building a database, classified in class 707, subclass 10.

The Examiner alleged that the inventions are distinct from each other for reasons discussed in the Office Action.



APPENDIX A

A marked-up copy of the amended Abstract is provided below with insertions underlined and deletions bracketed:

A single geocoded data layer is created by converting centroid related data to a line by adding or subtracting a distance at a predetermined direction from the centroid to derive an endpoint from the centroid defining the line (taking the form of a radial extending from [form] the centroid). The source of the centroid related data is utilized to determine the direction of the line [(a first source creates a line in a first direction, a second source creates a line in a second direction, and same sources related to different centroids create lines oriented in a same direction from the different centroids)]. The single geocoded data layer allows for one [1] pass searching of geocoded data, and provides a display with more information than a simple match to a point or centroid. The radial display may take any form. Unconfirmed locations in the database may be related only to a centroid, and a display program automatically calculates a radial for [fro] display in conjunction with the centroid. The display may be the form of a radial, a radial with notches (representing additional matches), colors, or other shapes, etc.


Applicant hereby elects, without prejudice to the unelected claims, to proceed with prosecution on the merits with Group I, claims 1,3, 4, and 6-16 of claim set #1 (now appearing as the sole claim set).

The remaining claims have been canceled to expedite prosecution of the present application. However, Applicants respectfully reserve the right to present subject matter set forth in the canceled claims in subsequent applications filed under 37 C.F.R. § 1.53(b) which claim the benefit of the filing date of the present application.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required. A duplicate copy of this Authorization is enclosed.

Respectfully submitted,

Date: September 12, 2002

By: 
Brent A. Folsom
Reg. No. 43,614

FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800